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E.O. 12958: DECL: 03/30/2018  
TAGS: [UNSC](#) [GE](#) [PREL](#) [PBTS](#)  
SUBJECT: GUIDANCE: UNOMIG RESOLUTION NEGOTIATIONS --  
REDLINES AND OTHER OBJECTIVES

Classified By: IO PDAS James B. Warlick, for reason 1.4 (d).

11. (U) This is an Action Message, see para 2.

12. (U) USUN may draw from the guidance in paras 2-4 below during negotiations with the Friends of Georgia (Germany, UK, France, U.S., and Russia) concerning the UNOMIG renewal resolution. See para 5 for additional background and para 6 for the German draft resolution.

13. (C//Rel to Friends of Georgia) USUN should seek and insist upon the following objectives:

-- Ensure inclusion of the following language (in what is now OP 1) "reaffirm the commitment of all Member States to the sovereignty, independence, and territorial integrity of Georgia within its internationally recognized borders."

-- Unless UNOMIG's final report specifically cites Georgian violations in the Upper Kodori Valley, all language calling for the Georgian side to "ensure that the situation in the Upper Kodori Valley is in line with the Moscow Agreement" should either be deleted (best option) or modified (second best option) to read, for example, "situation in the Upper Kodori remains in line with the Moscow Agreement."

-- Ensure the addition of the words (in what is now OP 12): "the importance" before the phrase "that individual property rights have not been affected." Also in OP12, ensure the replacement of "had to flee" with "were forced to flee." The first change is necessary to restore a legally significant point we negotiated to address in UNSCR 1782. We do not want to suggest that the Council is "affirming" the existence of an international legal principle that IDPs are entitled to return to specific properties -- we do not agree that such a principle exists. We are happy, however, to "reaffirm the importance" that individual property rights have, in fact, not changed, consistent with the language in UNSCR 1782 OP15.

-- Ensure inclusion of OP14 from UNSC resolution 1781 on IDP return.

-- Keep previous years, references to the Boden Document, i.e. "Paper on Basic Principles for the Distribution of Competencies between Tbilisi and Sukhumi." Support for the Boden Document should not be diluted with support "for additional ideas" unless this is phrased in a separate clause as in UNSCR 1781 ("and welcome additional ideas that the sides would be willing to offer").

-- Ensure that the resolution does not contain language "welcoming the cooperation of the Abkhaz side" in the

deployment of UNOMIG police to Gali.

-- Add language calling this year for strengthening UNOMIG's observation capacity.

¶4. (C//Rel to Friends of Georgia) USUN should seek but not insist upon the following objectives:

-- Seek language welcoming the Georgian side's new initiatives for resolving the conflict in Abkhazia. Proposed language follows: Welcomes the new initiatives proposed by the Georgian side for the peaceful resolution of the conflict in Abkhazia, Georgia, and encourages both sides to engage constructively in a direct dialogue on a political settlement.

-- Seek the following additional changes to UNSC resolution 1781's (2007) OP 15 on IDP returns: reaffirm the "urgency" (vice importance) "of such people's return to their homes and property" and note that individual property rights have not been affected by the fact that owners "were forced" (vice "had") to flee during the conflict.

¶5. (C//Rel to Friends of Georgia) USUN is authorized to make the following tradeoffs during negotiations:

-- Remove all references to Russia as a "facilitator" of the peace process. (Note: Department might consider allowing for this phrase to be re-inserted if Russia adopts a constructive approach that allows our other desiderata to be adopted; however, USUN should consult with the Department before accepting this language. End note). See para 5 for background.

-- Add the following language added to what is now OP1: "...and the necessity to define the status of Abkhazia within the State of Georgia in strict accordance with these principles." The latter phrase was deleted in 2006, but Department would like USUN to ask for its reintroduction this year. If Russia or others simply refuse to negotiate on this point, then at a minimum USUN should make reference to the settlement of the conflict "within the framework of the Security Council Resolutions" (which provides an indirect reference to the same). (Note: The conflict should be referred to as the "conflict in Abkhazia, Georgia" and not as the "Abkhaz-Georgian conflict." End Note.)

-- Add an operative paragraph on prevention of military support to the Abkhaz authorities, which USUN should agree to remove only if Russia agrees to make concessions on other issues (such as a binding timetable for IDP returns). Suggested language follows: "Calls on states to prevent the provision from their territories or by persons under their jurisdiction of all assistance, other than humanitarian assistance, to the Abkhaz side and in particular to prevent the supply of any weapons and munitions." (Note: similar language appeared in a 1993 resolution. End Note.)

-- Remove the term "without conditions" from OP10 of the German draft on early implementation of Confidence Building Measures.

¶6. (C) Background: Russia's role as a "facilitator" of the peace process is in question due to its unconstructive and unilateral lifting of CIS economic and military sanctions on Abkhazia on March 6. The lifting of these sanctions, which Russia justified on the false pretense that most Georgian IDPs had returned to the Gali region of Abkhazia, gives Russia an opening to train the Abkhaz militia, sell weapons to the Abkhaz, and permits Russian citizens to serve in Abkhaz military formations. Such actions, coupled with Russia's statements that Georgia's territorial integrity must be reconsidered if Georgia gets NATO membership, are outside the bounds of "facilitating" the resolution of the conflict and demonstrate a bias towards one of the parties.

¶7. (U) Begin draft resolution text:

The Security Council,

PP1 Recalling all its relevant resolutions including resolution 1781 of 15 October 2007 (S/RES/1781);

PP2 Welcoming the reports of the Secretary-General on the activities of the United Nations Observer Mission in Georgia of 23 January 2008 (S/2008/38) and X April 2008 (S/2008/XXX);

PP3 Supporting the sustained efforts of the Secretary-General and of his Special Representative with the

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assistance of the Group of Friends of the Secretary-General as well as the Russian Federation in its capacity as facilitator and of the OSCE, underlining the increased importance of the meetings in the Geneva format as the forum for meaningful political dialogue and welcoming the Georgian and Abkhaz renewed commitment to this process;

PP4 Noting that whereas the United Nations and the Group of Friends of the Secretary-General will continue to support the process of conflict resolution between the Georgian and Abkhazian sides, the primary responsibility to make use of this support and to implement measures to advance the process, in particular measures to build confidence, remains with both sides;

PP5 Stressing the importance of close and effective cooperation between UNOMIG and the CIS peacekeeping force as they currently play an important stabilizing role in the conflict zone, and recalling that a lasting and comprehensive settlement of the conflict will require appropriate security guarantees;

PP6 Stressing that economic development is urgently required in Abkhazia, Georgia, to improve the livelihoods of the communities affected by the conflict, in particular refugees and internally displaced persons;

¶1. Reaffirms the commitment of all Member States to the sovereignty, independence and territorial integrity of Georgia within its internationally recognized borders, and supports all efforts by the United Nations and the Group of Friends of the Secretary-General, which are guided by their determination to promote a settlement of the Georgian-Abkhaz conflict only by peaceful means and within the framework of the Security Council resolutions;

¶2. Reaffirms its strong support for UNOMIG, and again urges the parties to cooperate fully with the mission and to actively and sustainably engage in the political process led by the Special Representative of the Secretary-General;

¶3. Calls on the Georgian side to ensure that the situation in the Upper Kodori valley is in line with the Moscow agreement on ceasefire and separation of forces of 14 May 1994; and calls again on the Abkhaz side to exercise restraint in connection with the Georgian commitments with regard to the Kodori valley and not to use the situation in the Kodori Valley as a pretext for their continued refusal to engage in negotiations with the Georgian side;

¶4. Welcomes the renewed commitment given by both sides during the meeting chaired by the United Nations in Geneva on 18 and 19 February 2008 to resume regular consultations on security issues without delay, and urges once more both sides to finally fulfil this commitment;

¶5. Expresses its serious concern with ongoing violations of the ceasefire and separation of forces regime in the Zone of Conflict;

¶6. Strongly urges all parties to consider and address seriously each other's legitimate security concerns, to refrain from any acts of violence or provocation, including political action or rhetoric, and to comply fully with previous agreements regarding ceasefire and non-use of violence;

¶17. Calls on both sides to finalize without delay the document on the non-use of violence; and calls on both sides to finalize without delay the document on the return of refugees and internally displaced persons;

¶18. Stresses anew the urgent need to alleviate the plight of refugees and internally displaced persons and the need for a perspective of life in security and dignity in particular for a new generation growing up outside Abkhazia, Georgia;

¶19. Calls upon the parties to further increase their bilateral contacts by making full use of all existing mechanisms as described in the relevant Security Council resolutions in order to come to a peaceful settlement, including establishing a reliable early perspective for the safe and dignified return of refugees and internally displaced persons;

¶10. Firmly convinced that the confidence-building measures proposed by the Group of Friends of the Secretary-General and endorsed through resolution 1752 of 13 April 2007, will serve the development of broader and unbiased contacts between the communities of the divided country, regrets the lack of progress made with regard to taking confidence building measures and reiterates its call on the Georgian and Abkhaz sides to engage in an early implementation of these measures without conditions;

¶11. Recalls, with a view to achieving a lasting and comprehensive settlement, its support for the principles contained in the &Paper on Basic Principles for the Distribution of Competencies between Tbilisi and Sukhumi<sup>8</sup>, and welcomes additional ideas that the sides would be willing to offer with a view to conducting creatively and constructively a political dialogue under the aegis of the United Nations;

¶12. Reiterates and reaffirms as fundamentally important the right of return for all the refugees and the internally displaced persons to Abkhazia, Georgia, reaffirms the urgency of such people's return to their homes and property and that individual property rights have not been affected by the fact that owners had to flee during the conflict and that the residency rights and the identity of those owners will be respected, and calls on both sides to implement the UNHCR's Strategic Directions for their return in the first instance to the Gali region;

¶13. Welcomes existing and encourages further contacts between representatives of civil society, and appeals to both sides to continue to promote without reservation the active engagement of citizens and officials in such contacts;

¶14. Underlines that it is the primary responsibility of both sides to provide appropriate security and to ensure the freedom of movement throughout the zone of conflict of UNOMIG, the CIS peacekeeping force and other international personnel and calls on both sides to fulfil their obligations in this regard and to extend full cooperation to UNOMIG and the CIS peacekeeping force;

¶15. Welcomes the efforts being undertaken by UNOMIG to implement the Secretary-General's zero tolerance policy on sexual exploitation and abuse and to ensure full compliance of its personnel with the United Nations code of conduct, requests the Secretary-General to continue to take all necessary action in this regard and to keep the Security Council informed, and urges troop-contributing countries to take appropriate preventive action including the conduct of predeployment awareness training, and to take disciplinary action and other action to ensure full accountability in cases of such conduct involving their personnel;

¶16. Decides to extend the mandate of UNOMIG for a new period terminating on 15 October 2008;

¶17. Requests the Secretary-General to make use of this

mandate in order to encourage and support the parties in implementing measures to build confidence and to establish an intensive and meaningful dialogue, with a view to achieve a lasting and comprehensive settlement, including the facilitation of a meeting at the highest level, and to inform the Council in his next report on the situation in Abkhazia, Georgia, on progress made in this respect;

¶18. Strongly supports the efforts of the Special Representative of the Secretary-General and encourages the Group of Friends of the Secretary-General to continue giving him their steadfast and unified support;

¶19. Decides to remain actively seized of the matter.

End draft resolution text.

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